IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1257 OF 2005

L & T Niro Ltd. & Ors. ...Petitioners

Versus

Elpro Internatinal Ltd. & Anr ...Respondents

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Mr. A.P. Mundargi i/b M.K. Ambalal & Co. Advocate for Petitioners

Mr. Hemant Sethi, Advocate for Respondent No.1.

Mr. Rajesh More, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 5TH JULY, 2005

P. C.:-

1. Heard both sides.

2. The petitioners have prayed for quashing of process issued against them in Criminal Case No. 203/2001 which is pending in the Court of learned J.M.F.C. at Pimpri, Pune. In the said case, process has been issued against the petitioners under Sections 120 (B), 417, 420 r.w. 34 of I.P.C.

3. For the reasons recorded in my order dated 13th June, 2005 passed in Criminal Writ Petition No.213 of 2005 and order dated 21st June, 2005 passed in

Criminal Application No.550 of 2005, the petitioners have an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioners prefer revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioners to prefer revision before the concerned Sessions Court. The learned advocate for the petitioners states that the necessary revision would be preferred within a period of six weeks from today. In view of this statement, ad interim order granted by this Court to continue till then. The learned advocate for the respondent i.e. original complainant fairly states that no objection would be raised in respect of limitation in filing revision by the petitioners before the learned Sessions Judge.

5. On the necessary revision being preferred by the petitioners before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Criminal writ petition is disposed of.

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